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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,659

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Simon C. Steely JR.

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EXAMINER

CHERY, MARDOCHEE

ART UNIT

PAPER NUMBER

2188

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/760,659	<b>Applicant(s)</b> STEELY ET AL.	
	<b>Examiner</b> Mardochee Chery	<b>Art Unit</b> 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8-12 and 18-32 is/are rejected.
- 7) ☒ Claim(s) 2-7, 13-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Office Action is in response to Applicant's communication filed on August 7, 2006 in response to PTO Office Action mailed on May 23, 2006. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results that follow.
2. In response to the Office action mailed on May 23, 2006, claims 26 and 27 have been amended. No claims have been added, or canceled. Accordingly, claims 1-32 remain pending.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 8-10, 12, 18-19, and 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arimilli (2002/0129211) in view of Chen (6,931,496).

As per claim 1, Arimilli discloses a system comprising: a first node including data having an associated state, the associated state of the data at the first node being a modified state [page 7]; and a second node operative to provide a non- migratory source broadcast request for the data, the second node being operative to receive the data from the first node and assign a shared state to an associated state of the data at the second node [page 7].

However, Arimilli does not explicitly teach the first node being operative in response to the non-migratory source broadcast request to provide the data to the second node and to transition the associated state of the data at the first node from the modified state to an owner state without updating memory as required by the claim.

Chen discloses the first node being operative in response to the non-migratory source broadcast request to provide the data to the second node and to transition the associated state of the data at the first node from the modified state to an owner state without updating memory [col.5, ll 5-10, ll 36-42, ll 60 to col. 6, ll 6] to provide a data maintenance method in a distributed shared memory system to efficiently solve the access deadlock problem (col. 3, ll 10-12).

Since the technology for implementing a cache coherency system with transitioning the associated state of the data at the first node from the modified state to

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an owner state without updating memory was well known as evidenced by Chen, an artisan would have been motivated to implement this feature in the system of Arimilli to provide a data maintenance method in a distributed shared memory system to efficiently solve the access deadlock problem. Thus, it would have obvious to one of ordinary skill in the art at the time of invention by Applicant, to modify the system of Arimilli to include transitioning the associated state of the data at the first node from the modified state to an owner state without updating memory because this would have provided a data maintenance method in a distributed shared memory system to efficiently solve the access deadlock problem (col. 3, ll 10-12) as taught by Chen.

As per claim 8, Chen discloses the first node is operative in response to the non-migratory source broadcast request to provide a shared data response to the second node [col. 6, ll 1-6].

As per claim 9, Arimilli discloses further migration of the data from the second node is precluded when the associated state of the data at the second node is the shared state [Abstract].

As per claim 10, Chen discloses at least one other node that provides a non-data response to the second node in response to the non-migratory source broadcast request from the second node, the non-data response indicating that the at least one other node does not have a valid copy of the data requested by the second node [col. 7,

II 55-61].

As per claim 12, the rationale in the rejection of claim 1 is herein incorporated.

As per claim 18, the rationale in the rejection of claim 9 is herein incorporated.

As per claim 19, the rationale in the rejection of claim 10 is herein incorporated.

As per claims 24 and 25, the rationale in the rejection of claim 1 is herein incorporated.

As per claim 26, Chen discloses means for selecting one of the XREADM request and XREADN request to broadcast from the first node [Figs. 4 and 5].

As per claim 27, Chen discloses means for predictively selecting one of the XREADM request and XREADN request to broadcast from the first node [Figs. 4 and 5].

As per claim 28, the rationale in the rejection of claim 1 is herein incorporated.

As per claim 29, the rationale in the rejection of claim 1 is herein incorporated.

As per claim 30, the rationale in the rejection of claim 26 is herein incorporated.

As per claim 31, the rationale in the rejection of claim 27 is herein incorporated.

As per claim 32, the rationale in the rejection of claim 1 is herein incorporated.

6. Claims 11 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arimilli (2002/0129211) in view of Chen (6,931,496) and further in view of Cypher (6,484,240).

As per claim 11, Arimilli discloses the first node defines a first processor and the second node defines a second processor [Fig. 1], the first and second processors each having an associated cache that comprises a plurality of cache lines [Fig. 1], the first and second processors being capable of communicating with each other and with a system memory via an interconnect [Fig. 1, System Bus 12].

Chen further discloses the system further comprising a first cache controller associated with the first processor and a second cache controller associated with the second processor [Fig. 1], the first cache controller being operative to manage data requests and responses for the associated cache of the first processor [Fig. 1], the first cache controller effecting state transitions associated with the data in the associated cache of the first processor based on the data requests and responses for the associated cache of the first processor [Fig. 1], the second cache controller being

operative to manage data requests and responses for the associated cache of the second processor [Fig. 1], the second cache controller effecting state transitions associated with the data in the associated cache of the second processor based on the data requests and responses for the associated cache of the second processor [Figs. 2-5].

However, Arimilli and Chen do not explicitly teach each cache line having a respective tag address that identifies associated data and each cache line having state information that indicates a state of the associated data for the respective cache line as required by the claim.

Cypher discloses each cache line having a respective tag address that identifies associated data and each cache line having state information that indicates a state of the associated data for the respective cache line [col. 1, ll 20-25] to specify the access rights and ownership responsibilities for a corresponding processor (col. 1, ll 23-25).

Since the technology for implementing a cache coherency system with each cache line having a respective tag address that identifies associated data and each cache line having state information that indicates a state of the associated data for the respective cache line was well known as evidenced by Cypher, an artisan would have been motivated to implement this feature in the system of Arimilli and Chen in order to specify the access rights and ownership responsibilities for a corresponding processor. Thus, it would have been obvious to one of ordinary skill in the art at the time of



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invention by Applicant to modify the system of Arimilli and Chen to include each cache line having a respective tag address that identifies associated data and each cache line having state information that indicates a state of the associated data for the respective cache line since this would have enabled specifying the access rights and ownership responsibilities for a corresponding processor (col. 1, ll 23-25) as taught by Cypher.

As per claim 20, the rationale in the rejection of claim 11 is herein incorporated.

As per claim 21, the rationale in the rejection of claims 1 and 11 is herein incorporated.

As per claim 22, Chen discloses the source processor further comprises an associated source processor cache having a source processor cache line for storing the data, the source processor cache line having an associated state, the source processor storing the data in the source processor cache line and assigning a shared state to the associated state of the source processor cache line in response to receiving the S-DATA response from the target processor [col. 6, ll 58 to col. 7, ll 17; col. 7, ll 49 to col. 8, ll 3].

As per claim 23, Chen discloses the source processor further comprises an associated source processor cache having a source processor cache line for storing the data, the source processor cache line having an associated state, the source processor

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storing the data in the source processor cache line and assigning a dirty state to the associated state of the source processor cache line in response to receiving the D-DATA response from the target processor [col. 7, ll 49-61; col. 8, ll 52-67].

***Allowable Subject Matter***

7. Claims 2-7, 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. The Examiner requests, in response to the Office action, that support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing(s).

9. When responding to this Office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 CFR 1.111(c).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mardochee Chery whose telephone number is (571)

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272-4246. The examiner can normally be reached from Monday to Friday, from 8:30A-5:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manonama Padmanabhan can be reached on (571) 272-4210. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 7, 2006

  
HYUNG SOUGH  
SUPERVISORY PATENT EXAMINER

PI 113106

  
Mardochee Chery  
Examiner  
AU 2188